

S/N: 10/618,954

Filed: July 14, 2003

AMENDMENT AND RESPONSE

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Remarks

The Official Action mailed December 2, 2004, has been received and its contents noted carefully. Claims 1 and 3 have been rejected under 35 USC §103 as being unpatentable over Portnoy US PUB 2003/01585560 in view of Grendahl, et al., USPN 4,661,108. Claims 1-4 have been rejected under 35 USC §103 as being unpatentable over Blake US PUB 2002/0173846 in view of Grendahl, et al., USPN 4,661,108. Claim 1 has been rejected under 35 USC §103 as being unpatentable over Poler USPN 4,122,556 in view of Grendahl, et al., USPN 4,661,108.

With respect to the rejection of the claims based on Portnoy US PUB 2003/01585560, this reference clearly shows, in FIGS 24-26, a two-lens system having a primary optic 502 and a secondary optic 500. See paragraph [0175]. The claims of the present invention are clearly directed to a single lens system, with the second component being hollow and having no optical properties. Therefore, the Examiner's rejection of the claims based on Portnoy US PUB 2003/01585560 is not well-taken and applicant respectfully requests that the rejection based on this reference be withdrawn.

With respect to the rejection of the claims based on Blake US PUB 2002/0173846, the lens disclosed in this reference uses a lens optic 200 attached to a frame haptic 110 by the use of cleats 300 on frame haptic 110 and eyelets 400 on lens optic 200. See FIGS 3A-3F and paragraph [0061]. Such a construction does not lock optic 200 on frame haptic 110, and compression of frame haptic 110 can allow cleats 300 to disengage eyelets 400. Applicant has amended claims 1 and 4 of the present invention to specify that the construction of the present lens locks the optic within the base component during compression of the base component. Such a distinction is important as the base component of the present invention (as well as frame optic 110 of the device shown in Blake US PUB 2002/0173846), are designed to compress when implanted in an eye. Therefore, applicant respectfully requests that the rejection of the claims based on Blake US PUB 2002/0173846 be withdrawn.

With respect to Poler USPN 4,122,556, this reference discloses, in FIGS. 5-8, a lens system consisting of a pair of identical mounting adapters 30 that are snapped together to form two pairs of opposing feet 32-33 and 32'-33'. Optic 31 is then snapped in place within central open body 34 of assembled adapters 30. See column 3, lines 57-68 and column 4, lines 1-48. Contrary to the Examiner's assertion, optic 31 does not contain any tabs and instead is constructed as a round lens. See FIG.8, for example. In fact, the preferred material for lens 10 or lens 31 is finish-ground glass. Column 2, lines 8-10. Such a material is unsuitable for use as a haptic. Therefore, applicant respectfully requests that the rejection of the claims based on Poler 4,122,556 be withdrawn.

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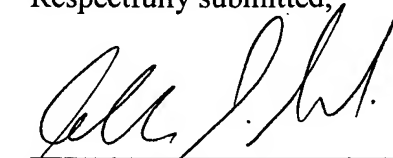
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Having fully responded to the outstanding Official Action, applicant requests that claims 1-4 be allowed and that a patent containing these claims issue in due course.

Respectfully submitted,



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2/8/05

Date

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